

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

DARRELL TAYLOR,	)	
	)	
Plaintiff,	)	Civil No. 3:09-1019
	)	Judge Trauger
v.	)	Magistrate Judge Griffin
	)	
DEPARTMENT OF CHILDREN SERVICES,	)	
	)	
Defendant.	)	

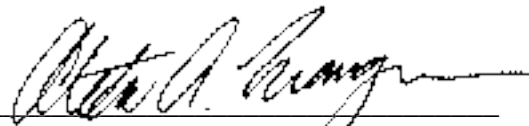
**ORDER**

On June 30, 2010, the Magistrate Judge issued a Report and Recommendation (Docket No. 24), to which no timely objection has been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion to Dismiss filed by the defendant (Docket No. 18) is **DENIED**.

Judge Trauger has received on this date by fax a note from the plaintiff, requesting the “withdrawal of my compliant,” which the court will have entered in the record. Given the fact that the defendant has filed an Answer (Docket No. 14), it will be for the Magistrate Judge, in the first instance, to recommend whether or not to allow the plaintiff to voluntarily dismiss this case with a Second Motion to Dismiss (Docket No. 26) pending and, if so, whether any conditions should be placed upon that voluntary dismissal.

It is so **ORDERED**.

ENTER this 26<sup>th</sup> day of July 2010.

  
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ALETA A. TRAUGER  
U.S. District Judge